

Congress of the United States
Washington, DC 20515

April 7, 2020

The Honorable Alex M. Azar II
Secretary
U.S. Department of Health and Human Services
200 Independence Avenue SW
Washington, DC 20201

Dear Secretary Azar,

Thank you for arranging last night's call with Assistant Secretary Hargan regarding how the \$100 billion for hospital and health care providers will be distributed. We appreciated the update, but did leave the call with serious concerns about the timing and criteria for the next tranches of funding for hotspots and providers that treat very few Medicare beneficiaries, including children's hospitals, pediatricians, obstetricians, , and those that serve many Medicaid and uninsured patients. This formula also does not include payments from Medicare Advantage plans, and many of the states with the highest numbers of COVID-19 cases also have substantial enrollment in Medicare Advantage. We understand that the Department of Health and Human Services (the Department) is seeking to be fast and fair, and believe it is critical to get the money out quickly to hospitals, but we do not believe it is fair to the hotspots to wait for a formula to be developed within seven to ten days, when many states including Connecticut have their peaks projected to start, and states like Washington have already started to peak. Time is of the essence, and we fear that delays in getting money to the hotspots will only exacerbate the emergency situation states are dealing with as a result of COVID-19.

By Friday, April 10, we request answers to the following questions:

- When can we expect the timeline and criteria for when money will be disbursed to hotspots?
- To reiterate our request on the call, we need to see the list of where and who this initial \$30 billion is being sent to.
- We also have serious concerns about those providers and hospitals that see few Medicare patients. Please provide the timeline and criteria for the distribution of funds to these providers.
- Additionally, how will the Department be communicating with Congress and the public about the disbursements of these funds and announcing awards as they are made?

- In addition to the Department's decision to require no balance billing for COVID-19 related costs to payments, what other requirements will you be imposing on recipients of this funding?
 - Given health care professionals are being laid off by some hospitals, have you considered any requirement regarding employee retention under consideration for hospitals, similar to requirements applied under the SBA Paycheck Protection Plan?
 - Have you considered a no executive pay increase requirement?
 - Are you considering a prohibition on muzzling health care workers for reporting unsafe working conditions?

Given the urgent circumstances, we reiterate that a response to these questions is requested no later than Friday, April 10.

As always, we stand ready to work with you to protect the health and safety of the American people.

Sincerely,

A handwritten signature in black ink, reading "Rosa DeLauro". The signature is fluid and cursive, with the first name "Rosa" being more prominent.

Rosa DeLauro
Chair
House Appropriations Committee
Subcommittee on Labor, Health and
Human Services, Education,
and Related Agencies

A handwritten signature in blue ink, reading "Patty Murray". The signature is fluid and cursive, with the first name "Patty" being more prominent.

Patty Murray
Ranking Member
Senate Appropriations Committee
Subcommittee on Labor, Health and
Human Services, Education
and Related Agencies